

**FRANK T BRZOWSKI**

2357 E. DAUPHIN STREET
PHILADELPHIA, PA 19125-2923
215-425-7672

Email: brzozowskifrank@lycos.com

RECEIVED
CENTRAL FAX CENTER

NOV 09 2004

FAX TRANSMITTAL FORM

To: Teri P. Luu, Supervisory Primary Examiner

United States Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date Fax Sent: 11-09-04 TUESDAY
Mailing Date: 11-9-04

Phone: 703-305-7421
Fax: 703-872-9306

Number of Pages: 5

Message:

RE: Patent application No. 10/724,859, filed on 11-30-03 by Frank Brzozowski
To: Teri P. Luu, Supervisory Primary Examiner:

Examiner Bret C. Hayes sent an Office Summary Action dated 09/09/04 with a 2 month expiration period. I am not abandoning my application and I intend to cure the defects listed in the objections.

Enclosed is the Reply to Notice of References Cited in the Office Action Summary with the citations and comments supporting my patent application.

Thank you for all of your help.

RECEIVED
CENTRAL FAX CENTER

NOV 09 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Publication No.: US 2004/0107629 A1 June 10, 2004
Application No.: 10/724,859
Appn. Filed: November 30, 2003
Applicant: Frank T. Brzozowski, pro-se
Appn. Title: BOTTOM FISH RIG
Examiner: Bret C. Hayes
Art Unit: 3644

Reply to Notice of References Cited in the Office Action Summary

Commissioner of Patents and Trademarks
Washington, District of Columbia

Sir:

Attached is your Notice of References Cited Form PTO-892 listing patents relevant to this action. Following are comments distinguishing the material cited from my patent application:

U.S. Patent No. 5,887,381 to Stephenson has a fishing rig with a free sliding weight, a flexible leader line, sliding glass or plastic beads and swivel connectors to either end of the leader line. The sliding weight and beads move freely to make a clacking noise to attract fish. Stephenson's Carolina rig is shaped differently than the bottom fish rig and does not have movement stops, a c-weight or a horizontal unilateral 3-prong hook.

The device for casting small lures and flies by Halterman, U.S. Patent No. 5,678,351, has a leading section, an intermediate weighted section and a trailing section consisting of a leader and a fly. The intermediate weighted section consists of a core of sticky filter tape or mounting tape that secures the weighted section to make a static casting loop between the leading section and trailing section. Halterman's device looks different, is intended to work at the surface and is not like the bottom fish rig by not having a sliding or removable c-weight, movement stops and a horizontal unilateral 3 prong hook.

Rayburn invented a casting float with line stop, U.S. Patent No. 4,696,125, that is intended to work on or near the surface. Rayburn's casting float is a hollow-shelled cylinder with various line receiving openings. Rayburn uses a sliding bead to separate the casting float from the line stop, a flat plastic plate. Rayburn's casting float does not resemble the bottom fish rigs sliding c-weight. Rayburn's patent does not illustrate the use of a horizontal unilateral 3-prong hook, a swivel, a leader and a sliding c-weight that is easily attached and removed from the line and is restricted to a limited area by movement stops.

A fishing rig assembly patent was granted to Manno, U.S. Patent No. 4,209,933. Manno's complicated minnow rig relies upon an unique T-shaped wire eyelet projection to attach two lines to a sinker. At the end of the first line, a fish hook is attached by a line to a complex convoluted T-shaped single barb hook. Manno's minnow rig has key components that do not resemble the leader, the removable c-weight, movement stops and a horizontal unilateral 3 prong hook of the bottom fish rig.

U.S. Patent No. 3,701,212 to Gilliam is a salt water sinker. Gilliam's oval sinker resembles an egg sinker with a cut-out central bell shaped protrusion having locking arms on opposite sides that are crimped over the fishing line. Although Gilliam's salt water sinker is detachable, it has a different shape and means of connecting to the fishing line than the removable sliding c-weight. The bottom fish rig is different with a leader, movement stops, swivel and a horizontal unilateral 3 prong hook.

Shriver was granted a bait positioning fishing device patent, U. S. Patent No. 3,118,245. Shriver

soldered 2 rods to make 4 perpendicular elongated shift members. A fish hook attachment means was connected by a reverted loop at one end; the other end is attached to the fishing line and a weight. The cross-shaped bait positioning fishing device rests on the bottom and the rod like members deflect weeds away while the line is being reeled. The bottom fish rig is different with a leader, a removable c-weight, movement stops and a horizontal unilateral 3 prong hook.

A removable fishing sinker by Baron, U.S. Patent No. 3,096,599, has a body made of heavy metal with a sleeve made of a light plastic material in which fishing line is inserted and jammed between a sleeve and sinker body into a long central slot. Although the egg-shaped removable fishing sinker could slide freely over the fishing line or could be mounted fixed on a fishing line, Baron's sinker has at least 3 individual components, in contrast to the bottom fish rig's one piece removable c-weight, excluding the hull plug of one embodiment. The removable c-weight is more durable, costs less and is easier to produce than the removable fishing sinker. The bottom fish rig is different, with a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3-prong hook.

U.S. Patent No. 2,766,549, a sinker and leader assembly by Dickerson discloses at the end a snap for lures and hooks, a swivel, a wire through the first length connected to another swivel, a fixed bead, and another wire passing through the axial bore of a sliding egg sinker and a loop. Dickerson has to disconnect the assembly from the fishing line to remove the egg sinker which is pulled down the main shank of the wire and over the eye. The bottom fish rig is an improvement by being easier to produce than Dickerson's assembly, and by having a c-weight that could be removed without detaching the rig from the fishing line. The bottom fish rig is different with movement stops to prevent the c-weight from interfering with the hook and inhibit the c-weight from sliding over the leader loop and up the fishing line. The bottom fish rig is different with unique components, a removable c-weight and a horizontal unilateral 3 prong hook while other components on the leader are located in different positions and perform tasks differently than their counterparts in the Dickerson assembly.

U.S. Patent No. 2,177,007 to Smith discloses a complicated releasable sinker having weight changing means. In Smith's patent the sinker is released to slide down the line an encounter the lure. Smith has a cylindrical bore slip sinker or egg sinker held into a carrier tube by a frictional locking device that fits into a slot in the wall of the egg sinker. Beside having a squeezed split sinker stop member, Smith's patent is different from the bottom fish rig which has a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3 prong hook.

Pesso was issued U.S. Patent No. 2,019,630 for fishing tackle consisting of a surface float. Pesso's hollow float does not work like the hollow removable c-weight and the patent does not have any similar features with the bottom fish rig.

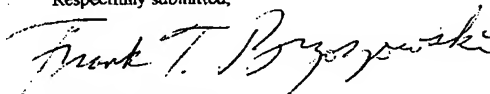
U.S. Patent No. 1,883,574 to Cleeland discloses a sinker that attaches to fishing line without parting the line. Cleeland's lead sinker has a streamline body with wire coils on each end and a frictional groove spiral around the body; Cleeland's patent does not have a central bore and does not slide. Cleeland's patent does not have a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3 prong hook.

A fish hook patent, U. S. Patent No. 1,208,936, was granted to Henry England in 1916. As illustrated in the artwork England's fish hook is designed to dangle from a float to avoid weeds and is not intended to fish on the bottom. Due to its poor construction, England's fish hook has limited snag resistance with one depressible springably weed guard for its small center hook. The 2 long hooks do not have weed guards and are not bent inward or downward to resist snagging as compared to the positioning of the horizontal unilateral 3 prong hook in the bottom fish rig which also avoids injuries. The shank of the horizontal unilateral 3 prong hook of the bottom fish rig is sturdier or stronger by being three shanks fused together as compared to a short single weak shank in England's fish hook. Another difference is the eye of the England's fish hook is in the same plane as the 3 shanks, however, in the bottom fish rig the eye of the horizontal unilateral 3 prong hook is elevated on an incline at approximate the same level or height as the

center middle barb, which is important in orienting the horizontal unilateral 3 prong hook upright when being used. Since England's fish hook is weak it needs a cross-piece between the 2 longer hooks, which is not necessary or a feature in the horizontal unilateral 3 prong hook. The bottom fish rig is different than England's patent, with a leader, removable c-weight, movement stops, swivel and a horizontal unilateral 3 prong hook.

None of the references cited show all of the elements of the bottom fish rig, or the removable sliding c-weight or the horizontal unilateral 3 prong hook.

Respectfully submitted,



Frank T. Brzozowski
Inventor, pro-se

Frank T. Brzozowski
2357 E. Dauphin Street
Philadelphia, PA 19125
215-425-7672

Notice of References Cited

Application/Control No.

10/724,859

Applicant(s)/Patent Under
Reexamination
BRZOZOWSKI, FRANK T.

Examiner

Bret C Hayes

Art Unit

3644

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,887,381	03-1999	Stephenson, Timothy L.	43/43.15
	B	US-5,678,351	10-1997	Halterman, Jr., Danny R.	43/43.1
	C	US-4,696,125	09-1987	Rayburn, Walter	43/43.14
	D	US-4,209,933	07-1980	Manno, Joseph T.	43/43.15
	E	US-3,701,212	10-1972	Gilliam, Joe L.	43/44.87
	F	US-3,118,245	01-1964	Shriver, Lloyd L.	43/43.15
	G	US-3,096,599	07-1963	Baron, Charles	43/44.9
	H	US-2,766,549	10-1956	Dickerson, William	43/44.98
	I	US-2,703,947 ✓	03-1955	Petrasek et. al.	43/42.39
	J	US-2,177,007	10-1939	Smith, Wallace E.	43/44.88
	K	US-2,019,630	11-1935	Peeso, Martin E.	43/43.11
	L	US-1,883,574	10-1932	Cleeland, John S.	43/43.1
	M	US-1,208,936	12-1916	England, Henry	43/43.6

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office
 PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 20040904